

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD V. BOND,

Plaintiff,

v.

Case No. 09-14541

U.S. BANK NATIONAL ASSOCIATION,
as TRUSTEE FOR JPMAC 2005 WMC
J.P. MORGAN MORTGAGE ACQUISITION
CORP 2005-WMCI, CHRISTENE RICHTER,
TIMOTHY B. MYERS, DANIELLE JACKSON,
JUSTIN F. CARTER, and ORLANS
ASSOCIATES P.C., jointly, severally, and
individually,

HON. AVERN COHN

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION TO ENJOIN THE DISPOSAL, SALE OR
TRANSFER OF PROPERTY**

This is a case claiming a violation of the Fair Debt Collections Practices Act (FDCPA), 15 U.S.C. § 1692(g) and § 813. Plaintiff is proceeding pro se. As best as can be gleaned from the complaint, plaintiff owns a home in Whitmore Lake, Michigan. US Bank National Association/JPMAC holds a mortgage on that property. Orlans Associates is a law firm engaging in debt collection. All individually named defendants are attorneys associated with Orlans. Plaintiff claims that defendants violated the FDCPA in the manner in which they sought to collect mortgage payments and threatening foreclosure. JPMAC, through Orlans Associates, commenced foreclosure proceedings against plaintiff. Plaintiff challenged the court proceeding based on the alleged violation of the FDCPA. The trial court granted JPMAC a judgment of

possession and held that it lacked jurisdiction to rule on the FDCPA claim. Plaintiff is appealing the foreclosure and eviction.

With the complaint, plaintiff filed a "Motion for Order to Enjoin the Disposal, Sale or Transfer of Property . . ." in which he seeks to halt the foreclosure and eviction proceedings which are taking place in state court. The motion is DENIED. The only basis for federal jurisdiction is plaintiff's claim under the FDCPA for which he may only obtain money damages, not injunctive relief. Moreover, the Court lacks the authority to halt proceedings in state court.

SO ORDERED.

s/ Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: November 30, 2009

I hereby certify that a copy of the foregoing document was mailed to Donald V. Bond, 7968 Forest Creek Ct, Whitmore Lake, MI 48189 on this date, November 30, 2009, by electronic and/or ordinary mail.

s/ Julie Owens
Case Manager, (313) 234-5160